

EXHIBIT 9

Dalton, Amy

From: Metanat, Morvarid
Sent: Tuesday, September 06, 2011 10:44 AM
To: L. Timothy Fisher; Scott A. Burson
Cc: Larry Mellng; Chatterjee, Neel; Sutton, Theresa A.; Dalton, Amy; Beardsley, Megan M.; Mudurian, Karen N.; Cooper, Monte
Subject: RE: Facebook v. Power

Tim and Scott,

You still have not indicated when you will provide Facebook with written copies of the code that Mr. Mellng has reviewed and tagged. We have made numerous requests for these materials in accordance with Section 8(d) of the Protective Order. As you are aware, Facebook's Opposition to the Defendants' Motion for Summary Judgment is due in less than one week. Written copies of the source code are necessary for Facebook's Opposition and your refusal to provide access to such materials is extremely prejudicial. Please let me know as soon as possible when Facebook may expect to receive the written copies of the code as requested.

Morvarid

From: Cooper, Monte
Sent: Thursday, September 01, 2011 12:48 PM
To: L. Timothy Fisher; Scott A. Burson
Cc: Larry Mellng; Chatterjee, Neel; Sutton, Theresa A.; Metanat, Morvarid; Dalton, Amy; Beardsley, Megan M.; Mudurian, Karen N.
Subject: RE: Facebook v. Power

Tim and Scott:

Larry Mellng (who I am cc:ing) advises me that we still have not been able to review the Power MSSQL database(s) that includes the content for invitations, Adcenter, captcha, etc., which I understand he noted were missing from the code he reviewed. I also understand that as of Monday, we still were missing information from the code. By way of example, we're missing how the user initiated certain PowerShell applications. It is my understanding Larry provided you two files reflecting the missing databases and the missing information. Finally, I understand that Mr. Mellng was able to identify version control information, and we therefore want to know what versions of the Power code were produced, and which versions were not.

We also have not been advised when we will receive written copies of the code that Mr. Mellng reviewed. Please let us know when that may be forthcoming.

Finally, Mr. Mellng has requested that he review the code further next week. Could you advise what dates he can come to the Walnut Creek office to further review the code?

As you know from our recent Motion for a Second Continuance, much of this information is time sensitive given the existing deadlines for Facebook to file its opposition to the Motion for Summary Judgment, and expert reports. Facebook therefore reserves its right to bring these issues to the Court's attention, as necessary, to ensure that it is not prejudiced.

Thanks,

Monte

From: L. Timothy Fisher [mailto:ltfisher@bursor.com]
Sent: Friday, August 26, 2011 11:58 AM
To: Cooper, Monte
Cc: Scott A. Bursor
Subject: Facebook v. Power

Dear Monte:

We received your letter from earlier today. We are in the process of providing some additional files to Mr. Melling for his review including the requested database and PowerScript files. If Mr. Melling concludes that there are additional files he requires, we are happy to work with you to provide them to the extent such files exist and can be recovered from Power's archives.

Tim

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